



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/582,591	04/17/2007	Mikael Karlsson	06-380	2022
7590	12/14/2011		EXAMINER	
Barry L Kelmacher Bachman & LaPointe Suite 1201 900 Chapel Street New Haven, CT 06510			NGUYEN, JIMMY T	
			ART UNIT	PAPER NUMBER
			3725	
			MAIL DATE	DELIVERY MODE
			12/14/2011	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/582,591	KARLSSON ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	JIMMY T. NGUYEN	3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1)  Responsive to communication(s) filed on 29 November 2011.
- 2a)  This action is **FINAL**.                            2b)  This action is non-final.
- 3)  An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 5)  Claim(s) 25-36 and 38 is/are pending in the application.
  - 5a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 6)  Claim(s) 28,30 and 33 is/are allowed.
- 7)  Claim(s) 25-27, 29, 31-32, 34-36, and 38 is/are rejected.
- 8)  Claim(s) \_\_\_\_\_ is/are objected to.
- 9)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 10)  The specification is objected to by the Examiner.
- 11)  The drawing(s) filed on 6/9/06 is/are: a)  accepted or b)  objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some \* c)  None of:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____ .	6) <input type="checkbox"/> Other: _____ .

## **DETAILED ACTION**

### ***Response to Amendment***

The amendment filed on November 29, 2011 has been entered and considered and an action on the merits follows.

### ***Claim Objections***

Claim 38 is objected to because of the following informalities:

In line 8, “fo” should be changed to -- of --

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 25-27, 29, 31-32, 34-36 and 38 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding claim 25, the original disclosure does not provide support for the limitation, “an apparatus for locally increasing pressing in a press tool...: comprising: a number of press

cylinders for exerting the pressing pressure of the press (lines 1-9)”. The original disclosure discloses the apparatus for locally increasing pressing in a press tool is the apparatus 20 (see the original independent claim 25 and page 7, line 10 to page 9 of the specification), there is no support for this apparatus 20 comprising a number of press cylinders as claimed. The press cylinders (2-7) are part of the press (1), and they are not part the apparatus for locally increasing pressing in a press tool. Therefore, this limitation constitutes new matter.

Regarding claim 25, lines 15-16, the original disclosure does not provide support for “said power unit being configured on activation, *concurrently with activation of the press cylinders* (emphasis added)”. This is new matter.

Regarding claim 38, lines 1-10, the original disclosure does not provide support for the limitation, “an apparatus for locally increasing pressing in a press tool, the apparatus comprising: a press having first and second clamping surfaces movable under influence of a number of press cylinders towards and away from one another to exerting a pressing pressure; a press tool having a first part .... between the first and second parts (lines 1-10)”. The original disclosure discloses the apparatus for locally increasing pressing in a press tool is the apparatus 20 (see the original independent claim 25 and page 7, line 10 to page 9 of the specification), there is no support for this apparatus 20 comprising a press and a press tool as claimed. Therefore, this limitation constitutes new matter.

Regarding claim 38, lines 1-2 and 6-10, the original disclosure does not provide support for the limitation, “an apparatus for locally increasing pressing in a press tool, the apparatus comprising: ... a press tool having a first part .... between the first and second parts (lines 1-10)”. The original disclosure does not provide support for an apparatus for locally increasing

pressing in a press tool comprising: a press tool (this tool implying that there is another/second press tool in addition to the previously claimed press tool in line 2). This is new matter.

Additionally, the original disclosure discloses the apparatus for locally increasing pressing in a press tool is the apparatus 20 (see the original independent claim 25 and page 7, line 10 to page 9 of the specification), there is no support for this apparatus 20 comprising a press tool as claimed. Therefore, this limitation constitutes new matter.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 25-27, 29, and 31-32 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 25, line 4, there is no antecedent basis for the limitation, “the press” in the claim.

#### ***Allowable Subject Matter***

Claims 28, 30, and 33 are allowed.

#### ***Response to Arguments***

Applicant's arguments with respect to the amended claim 25 and new claim 38 have been considered. However, such amendments are new matter as set forth in the 35 U.S.C. 112, first paragraph rejections as set forth above.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JIMMY T. NGUYEN whose telephone number is (571)272-4520. The examiner can normally be reached on Monday-Thursday 7:30am-5:00pm with alternating Fri. 7:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dana Ross can be reached on (571) 272- 4480. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JTNguyen  
December 12, 2011

/JIMMY T NGUYEN/  
Primary Examiner, Art Unit 3725